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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/574,318

03/31/2006

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60680-1033

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26127 7590 04/17/2008
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EXAMINER

FLEMING, FAYE M

ART UNIT

PAPER NUMBER

3616

MAIL DATE

DELIVERY MODE

04/17/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/574,318	Applicant(s) RICHARDSON, GREGORY	
	Examiner Faye M. Fleming	Art Unit 3616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 9-15, 17, 18, 23, 24, 26 and 27 is/are rejected.
- 7) ☒ Claim(s) 8, 16, 19-22 and 25 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-7, 9-15 and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Simonnot (2162457).

Simonnot discloses a suspension for coupling a steer axle assembly to a vehicle frame having first and second longitudinal frame rails 7 comprising a first leaf spring 2 coupled to the vehicle frame at first and second ends and to an axle beam 1 of the steer axle assembly intermediate the first and second ends; a first arm 5 pivotally coupled to the axle beam at a first end and to the vehicle frame at a second end proximate one of the first and second ends of the first leaf spring; a second leaf spring coupled to the vehicle frame at first and second ends and to the axle beam of the steer axle assembly intermediate the first and second ends, the second leaf spring disposed on an opposite side of the vehicle frame from the first leaf spring; and, a second arm pivotally coupled to the axle beam at a first end and to the vehicle frame at a second end proximate one of the first and second ends of the second leaf spring. A torsion bar 8 extends between and is coupled to the first and second arms. The torsion bar is tubular. First and second mounting brackets 3 are coupled to the axle beam, the first leaf spring disposed between the first mounting bracket and the axle beam and the second leaf spring disposed between the second mounting bracket and the axle beam. First and second springs 2 are disposed between the axle beam and the first and second longitudinal frame rails, the first and second springs supported on the first and second mounting brackets,

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respectively. The first and second ends of the first and second arms are disposed below the first and second leaf springs, respectively. The first arm 5 defines an aperture configured to receive the torsion bar. The forward end of the first arm is vertically higher than the rearward end of the first arm. A first shackle 3 is coupled to the vehicle frame 7, one of the first and second ends of the first leaf spring 2 is pivotally coupled to the first shackle 3 and the second end of the first arm 5 is pivotally coupled to the first shackle; and a second shackle is coupled to the vehicle frame, one of the first and second ends of the second leaf spring is pivotally coupled to the second shackle and the second end of the second arm pivotally is coupled to the second shackle.

3. Claims 18, 23, 24, 26 and 27 are rejected under 35 U.S.C. 102(b) as being anticipated by Tenggara (DE4334369).

Tenggara discloses a suspension for coupling a steer axle assembly to a vehicle frame having first and second longitudinal frame rails 1 comprising a first leaf spring 13 coupled to the vehicle frame at a forward end and at a rearward end and to an axle beam (not shown) of the steer axle assembly intermediate the forward and rearward ends; a first arm 11 pivotally coupled to the axle beam at a forward end and to the vehicle frame at a rearward end proximate the rearward end of the first leaf spring, the forward and rearward ends of the first arm disposed above the first leaf spring; a second leaf spring coupled to the vehicle frame at a forward end at a rearward end and to the axle beam of the steer axle assembly intermediate the forward and rearward ends, the second leaf spring disposed on an opposite side of the vehicle frame from the first leaf spring; and, a second arm pivotally coupled to the axle beam at a forward end and to the vehicle frame at a rearward end proximate the rearward end of the second leaf spring, the forward and rearward ends of the second arm disposed above the second leaf spring. A first

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mounting bracket 5 coupled to the axle beam, the first leaf spring disposed between the first mounting bracket and the axle beam. The first arm 11 is pivotally coupled to the first mounting bracket. First and second springs 13 disposed between the axle beam and the first and second longitudinal frame rails 1. A first shackle coupled to the vehicle frame one of the first and second ends of the first leaf spring 13 pivotally coupled to the first shackle 2 and the second end of the first arm 11 pivotally coupled to the first shackle; and, a second shackle coupled to the vehicle frame, one of the first and second ends of the second leaf spring pivotally coupled to the second shackle and the second end of the second arm pivotally coupled to the second shackle.

Allowable Subject Matter

4. Claims 8, 16, 19-22 and 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Faye M. Fleming whose telephone number is (571) 272-6672. The examiner can normally be reached on M-F (9:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lesley Morris can be reached on (571) 272-6651. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Faye M. Fleming/
Primary Examiner, Art Unit 3616